

**AGENDA FOR  
CITY COUNCIL MEMBERS' "NOON" MEETING  
MONDAY, MARCH 6, 2000  
Immediately Following Director's Meeting  
CONFERENCE ROOM 113**

**I. MINUTES**

1. Minutes from Director's Meeting of February 28, 2000.
2. Minutes of "Noon" Council Members' Meeting of February 28, 2000.
3. Pre-Council Meeting Minutes - RE: Automated Meter Reading Program Update - January 24, 2000.
4. Pre-Council Meeting Minutes - RE: Labor Negotiations with the Amalgamated Transit Union (ATU) - February 28, 2000.

**II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES**

1. EMS Task Force Meeting (Johnson) - **CANCELLED**
2. Joint Budget Committee (Johnson/Seng)
3. Lincoln Action Program Meeting (McRoy)
4. Concert/Entertainment Task Force Meeting (McRoy)
5. Antelope Valley Advisory Committee Meeting (Seng)
6. Mayor's Downtown Action Team Meeting (Seng)-**CANCELLED**  
(Rescheduled to March 9th)
7. StarTran Task Force Meeting (Seng)

**OTHER MEETINGS REPORTS:**

**III. APPOINTMENTS/REAPPOINTMENTS**

1. Memo from Jennifer Brinkman - RE: Boards and Commission Appointments (See Memo).

**IV. MEETINGS/INVITATIONS**

1. The L/L Women's Commission and Friends of the Commission join efforts to proudly recognize local

women and men for their endeavors in improving the quality of life for women in our community. This annual event celebrates those contributions and provides an opportunity for us to share an evening of fun and friendship. They are excited to announce "Celebrate Women!" as this year's theme, featuring comedienne Juli Burney. Awards to be presented include the Alice Paul, the Erasmus Correll, the Woman Artist of the Year/Visual Arts and the Young Feminist. Set for Friday, May 5, 2000 at the Cornhusker Hotel, the evening begins with a social hour at 5:30 p.m. You'll enjoy live guitar music by Rusty Banks and can have a personalized caricatures drawn by artist Paul Fell.

Dinner will be served at 6:30 p.m. (5:30 p.m. to 9:30 p.m.) They hope you can join them for this very special celebration - their 24th Annual Event. Tickets are \$27.00 each or \$270.00 for a reserved table for ten. Reservations can be made by completing the enclosed RSVP form by May 1, 2000. (See Invitation and RSVP form).

2. The Staff and Management of Rural/Metro Ambulance Service Cordially invites you to be their guest at the Annual Survivor Recognition Luncheon on Saturday, March 18, 2000 from 12:00 p.m. to 2:00 p.m. - At the Knolls Country Club, 2201 Old Cheney Road - RSVP to Jamie Sherwood at 437-3017 (See Invitation).
3. You are cordially invited to Lincoln Action Program's Open House - Celebration Our New Building at 210 "O" Street (at the base of the West "O" viaduct, north side) On Thursday, March 16, 2000 from 4:00 p.m. to 6:00 p.m. - Speakers: Mayor Wesely, Vic Burton, Region VII Head Start Administrator, Beatty Brasch, LAP Executive Director and Other Dignitaries - Building Tours - Hors d'oeuvres & Beverages (See Invitation).
4. Meeting Notice - The Parks & Recreation Department along with the Public Works Department and other city staff will present proposed plans regarding the proposed Pine Lake underpass for the Williamsburg Trail at a upcoming public meeting. On Friday, March 10, 2000 at 7:00 p.m. - At Cavett Elementary School Multi-Purpose Room, 7701 S. 36th Street -

(Julie Watson 441-8252)(See Invitation).

5. To Invite you to participate in a very important event occurring on March 23rd: our state Forum on Poverty. In concert with these local events, Community Action of Nebraska will hold a nonpartisan, statewide Forum on Poverty in the Warner Chamber of the State Capitol on March 23, 2000 from 9:00 a.m. to 12:00 p.m. This forum is intended to engage legislators, the public, and the media in a search for new ideas, understanding, and dedication to battling poverty. Governor Johanns and Senator Landis will open the forum, which will then go on to explore five facets of poverty in our state. (See invitation).
6. Mayor's Interfaith Prayer Breakfast-Honorary Chairperson: Mayor Don Wesely on Thursday, May 4, 2000 at the Downtown Hilton Hotel [doors will be opened at 7:00 a.m.]. This year's theme is "Everyone Counts" in commemoration of the Census 2000. Dr. Donald Clifton, CEO of The Gallup Organization, will be our keynote speaker, followed with remarks by Lincoln Mayor Don Wesely. \$12.50 per person or \$125.00 per ten a table -(474-3017 by April 15, 2000)(See Invitation).

**V. COUNCIL MEMBERS**

**VI. REQUESTS OF COUNCIL FROM MAYOR - NONE**

**VII. MISCELLANEOUS - NONE**

**VIII.       ADJOURNMENT**

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**MINUTES**  
**City Council Members “Noon” Meeting**  
**Monday, March 6, 2000**  
**Conference Room 113**

**Council Members Present:** Coleen Seng, Chair; Jeff Fortenberry, Vice-Chair; Jon Camp, Jonathan Cook, Cindy Johnson, Annette McRoy, Jerry Shoecraft.

**Others Present:** Ann Harrell, Jennifer Brinkman, Mayor’s Office; Dana Roper, City Attorney; Darrell Podany, Aide to Councilman Camp; Joan Ray, City Council Secretary; and Chris Hain, *Lincoln Journal Star* Representative.

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Ms. Seng, Council Chair, requested a motion to approve the above-listed minutes. Jerry Shoecraft moved to approve the minutes as presented. Jonathan Cook seconded the motion, which carried by the following vote: AYES: Jerry Shoecraft, Jon Camp, Jonathan Cook, Annette McRoy, Coleen Seng; NAYS: None; ABSENT FOR VOTE: Jeff Fortenberry, Cindy Johnson (Both Ms. Johnson and Mr. Fortenberry arrived late for the meeting)

**II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES**

1. EMS TASK FORCE MEETING (Johnson) - **CANCELLED**

2. JOINT BUDGET COMMITTEE (Johnson/Seng) Ms. Johnson reported that the Child Advisory Committee came in and reviewed some issues dealing with concerns that communities have with that committee. Recommendations were made to the business community. Ms. Johnson stated that she felt comfortable with the status of these child care issues relating to the business community. She felt the issues were being dealt with very well.

The requests for JBC Funding were presented and we’ll be looking at those next month. There are \$1.6 million in funds available and \$2.2 million in requests, so, it will be an interesting package. The Mayor’s office is also reviewing this material to try to figure out where they’ll be on the dollar amount expenditures.

Ms. Seng commented that the Human Needs Assessment had also been discussed. It is just coming toward final compilation. It will eventually be brought before the Council and County Board, but not right now. The Nine Priorities are the focus of the study, Ms. Seng explained, and they would most likely be used as the priority listing. She stated that this, however, was not all finalized at this point, noting that tomorrow this would be discussed further since no one is sure how the Human Assessment Needs are all shaping up. The report is about to come out and will

include the input from the Directors' survey. The specific purpose of the report is to give guidance to the United Way and JBC for funding allotments.

Mr. Shoecraft asked if Ms. Seng felt the priorities of the United Way Board are the same as the JBC? He noted that they should be since that Board gets the same recommendations that the JBC receives. He noted that what tends to happen is that, for example, when he and Cindy sat on the United Way Board, whatever appropriation was made seemed different than what the Community's priorities were.

He wondered if that was just during that time period, or if this was an ongoing concern. Ms. Seng explained that she did not believe they had to be the same. She noted that the City funds some things that United Way does not fund. Some things fall under City or County bailiwick and still go with United Way. Sometimes, the reason we have the JBC is that there are things that we would be funding otherwise, at a larger sum of money, in the long run; so we're putting the money into preventative programs. There are quite a few agencies that the City is funding that perhaps the United Way is also funding, that is some agencies are under both groups' funding. United Way, is of course, doing some programs that the City is not funding at all.

Ms. Johnson stated that what Mr. Shoecraft sensed was correct. She commented that that is why the Special Needs Assessment is so important, because the process wasn't meshing the way it should have been. That's why we've gone through this Special Needs Assessment study. All the agencies come to the JBC meetings, so they understand what is going on and what priorities are being set. She noted that Mr. Shoecraft was correct in that a lot of frustration lies in the fact that the non-profit organizations just look at where there is money available instead of really having a good plan in place. Ms. Johnson noted that we can't do everything for everybody, but let's make some difference where we can. By joining efforts she felt that could be done.

Ms. Johnson stated that she hoped this Assessment Study would give appropriate guidance. She noted that there would be a final meeting tomorrow, which she would be unable to attend, but there will also be a meeting on the 24<sup>th</sup> with just the JBC so they can really identify the funds. Then perhaps it would be good to have a Pre-Council so that everybody can see what the steps were in getting to the point we'll have reached. There is still another year to work on this, so that gives us some time. She hoped when budget recommendations are made, Council would not have to just take the JBC's word on the proposed allotments, but would have information needed to make an informed decision.

3. LINCOLN ACTION PROGRAM MEETING (McRoy) No Report

4. CONCERT/ENTERTAINMENT TASK FORCE MEETING (McRoy) No Report

5. ANTELOPE VALLEY ADVISORY COMMITTEE Meeting (Seng) Ms. Seng reported that the Committee was looking ahead to what will follow after the JAVA business is finished, looking at some long-range planning. Then time was spent on trying to decide the Town Hall-3 meeting. We spent time on this at the last advisory meeting as well. Most likely it will be held at Lincoln High and most likely will be on either a Friday evening or Saturday morning, or both. The Committee also discussed the bus trip tours.

6. MAYOR'S DOWNTOWN ACTION TEAM MEETING(Seng)-**CANCELLED** (Rescheduled to March 9<sup>th</sup> - to coincide with the Consultant's schedule) Ms. Seng noted that due

to the rescheduling, she would be unable to attend. She stated that she and Mr. Camp would also receive the same report at the PBC meeting, so the information could be shared during the next PBC report. Mr. Camp stated that he would have this on his calendar for attendance.

7. STARTRAN TASK FORCE MEETING (Seng) Ms. Seng reported that this meeting was held last Thursday night. She reported that Allan Abbott made a presentation to encourage the Task Force not be too constricted by the dollars, but to think in broader terms than the budget view. She reported that the Task Force started going through all of the items that have ever been suggested in the last few years at any town hall meeting or from any advisory group. Such items included looking at Lincoln Public Schools, combining routes, extending service to 27<sup>th</sup> and Pine Lake, additional cross-town connector service, etc.

Ms. Seng commented that what they tried to do was to put parameters around the rest of the discussions. She commented that from this point forward, the Task Force will look at where the City might wish to go. She stated that she had a lot of interest in looking at a grid system. The plan would only start out with a partial grid system in the eastern area, and she thought she would like that.

She reported that the Task Force did receive statistics that showed that there is very high ridership on the Havelock, Bethany, University Place routes, plus the Holdrege route. The College View route also had high ridership. She stated that the City would have to start thinking about how those areas are laid out in nice block form with no long, winding roads. She stated that if a grid system is going to be started, maybe we can start in those areas where we have high ridership.

Ms. Seng reported that the pros and cons of extending service were discussed and one of the areas we focused on was the 27<sup>th</sup> and Pine Lake area. The question of whether or not the ridership would be there was of concern.

Mr. Cook asked if it were true that some of the existing bus routes are similar to what the trolley routes were before they were replaced by buses. He asked how the routes had changed over the years and wondered if they had a map of where the trolley routes were. Ms. Seng indicated that they did not. Mr. Cook stated that he had heard about the trolley routes and thought it made some sense. Maybe some of the original routes they scheduled for the buses, modified a bit, routed out from downtown would be where the trolleys went. Ms. Seng commented that one of the routes goes right through the East Campus, splitting right through it..

Mr. Shoecraft commented that what really needs to be done is this - here's the solution: [Laughter]. Develop a system where a rider can go to a destination in Lincoln without having to go downtown first. Ms. Seng answered that yes...that's what the grid system is. Mr. Shoecraft asked if that's probably what the Task Force will be doing?

Ms. Seng stated that the Task Force would be meeting every two weeks. Mr. Shoecraft asked when they would be done. Ms. Seng wasn't sure. Mr. Shoecraft hoped something could be settled by next year's budget.

Ms. McRoy stated that she had read of another city that held an Alternative Transportation Day wherein they underwrote bus ridership and encouraged bicycling and walking to work. She noted that it apparently worked rather well. She said that she had a bus stop not far from her house and had thought about riding the bus on some Monday. She noted that StarTran has always challenged the Council about the last time they had ridden the bus, and, to be truthful, it had been years since she had done so. So, she stated, she doesn't know how it is now for those riding

Lincoln City buses. Mr. Shoecraft noted that he could not ride a bus because they don't have CD systems. [Laughter]

#### **OTHER MEETINGS - *None***

### **III APPOINTMENTS/REAPPOINTMENTS**

1. Memo from Jennifer Brinkman - RE: Boards and Commission Appointments

#### **Emergency Medical Services Committee**

Neal Westphal - Reappointment - Term Expires 03/28/03

#### **Lincoln-Lancaster Women's Commission**

Mary Beck (replacing Eileen Harvey who resigned)

Term to expire 01/01/01

Pamela Carmichael (replacing Gail Anderson)

Term to expire 03/01/03

Ms. McRoy commented regarding the Women's Commission appointments that the concern she had expressed had not yet been resolved.. Ms. Brinkman answered that the Mayor commented that he had spoken with Ms. McRoy earlier, but Mr. Brinkman stated that she and Ms. McRoy could certainly talk further. Discussion ensued with the final note that the Mayor would speak further with Ms. McRoy regarding her concerns.

### **IV. MEETINGS/INVITATIONS - *Noted without Comment***

### **V. COUNCIL MEMBERS**

#### **JON CAMP - No Further Comments**

**JONATHAN COOK** - Mr. Cook commented on several bills that are currently before the State Legislature. He stated that he sees that the City is opposed to both of the pieces of legislation. One of them, he understood why, but asked for an explanation of the City's opposition to the other (LB367). He wondered why Senator DiAnna Schimek would propose LB367 which would change the make-up of the City Council and Planning Commission. The change would be forced upon us and would just apply the Lincoln/Lancaster County.

Ms. Brinkman explained the history of the bill. She noted that Senator Schimek introduced the bill last year. The original intent was to add a member to the Council and, quite bluntly, this idea came from Melva Plouzek, because she said that she was living in the three-mile area and was subject to decisions made by the City Council, but she didn't get to vote for members of the City Council. She went to her State Senator to see if that could be changed by State Statute.

When the bill went to committee last year for hearing, Lori Seibel attended on behalf of Mayor Young, and testified against the bill, because, basically the eighth member of the council would then be appointed from the three-mile zone, but wouldn't be paid, nor have the right to vote. That individual would just sit on the dais with Council and get the same information, but that would be his/her only function.

The Legislative Committee agreed that they didn't think that was a good idea, but as a compromise, the Committee amendment would have changed the Planning Commission instead of the Council. And all



it would do, if the bill were passed as it came out of Committee and as it was advanced from General File, is require that one of the nine members on the Planning Commission (not changing the number) be a resident of the three-mile planning zone.

So, we continue to oppose the bill. One of the reasons would be that the Mayor didn't want to have... Ms. Seng noted that the County is unhappy with that proposal. Ms. Brinkman stated that the County doesn't like the idea, either, because what they thought was the ninth planning member as set out in the amended bill, would have to be from the three-mile planning zone and would be appointed by the County Board. The County Board's concern was would that take away their advise and consent for the other eight members? Ms. Brinkman noted that the administration didn't want that to happen, but wanted to be able to aye or nay on all the members...just like the City Council.

So, the County Board has been in touch with Senator Schimek's office, as has the Mayor's office, to express our displeasure about the bill. Ms. Brinkman continued, noting that Senator Schimek did say, on the floor of the legislature, that she did intend to leave the bill on Select File and not move it this year. So, it's just sitting there, and we don't intend to see it come up for debate.

Ms. Seng asked Ms. Brinkman if the County Board was not also concerned that if they got someone from the three-mile area that nobody from the County would be included. Ms. Seng thought they might want someone from the real County. Ms. Brinkman said that the Mayor is committed to making sure that in the future, those traditional slots remain traditional slots and they will continue to try to find representation from the County, the three-mile planning zone and the City.

Mr. Cook asked if the amendments, then, just refer to the Planning Commission, with the whole Council idea being eliminated. Ms. Brinkman indicated that that is correct.

Mr. Cook then inquired about LB628, which requires Nebraska public records to be made available for photocopies or in electronic form for a reasonable cost. Currently there is no requirement. Why are we opposed to that bill?

Mr. Roper stated that the City is opposed because this is something generated by some of our local yellow journalists. This is going to be a huge 'pain in the rear' for government to produce these records. It doesn't cover staff time. The drumbeat is that everybody ought to be able to walk in and have these records available. Now, that sounds good until you get somebody unreasonable, as we have had [cited an example], who kept Building and Safety Department virtually shut down while they were scurrying around to find things. This places the burden on us. We are absorbing all the staff costs involved in this. Keep in mind, we're giving copies for ten cents per copy. Paper costs are probably above that.

Mr. Cook stated that this bill requires that we charge a reasonably calculated average cost. He asked about the likelihood of this passing. Mr. Roper commented that the press association has got this one pretty well wired. Basically, the senators are not messing with people who buy ink by the barrel. The attitude seems to be "How could you be against this? - This is 1<sup>st</sup> Amendment in America, how could you possibly oppose this?"

Mr. Cook stated that having run into problems getting information from City Staff over this past year, trying to get information, he felt this seemed like something that he would approve of as a citizen. He stated that he understood the concerns expressed by Mr. Roper, but there are instances when people have had difficulty in getting records.

Mr. Roper stated that this will not necessarily be a panacea. Ms. Brinkman stated that the League of Municipalities has been working with the media of Nebraska on an amendment. They, basically, have signed off on the amendment that has been introduced that will gut the bill.

The next amendment that they will discuss, probably tomorrow, is to be introduced by Senators Brashear and Bruning. Portions of that amendment would give cities or municipalities the right to respond

within three days to say 'here is why we can't fulfill your request in three days'. They have some measures proposed to try to mitigate some of the things we felt were egregious, but it doesn't take away the [public's] right to getting that information. She noted that the administration has not been actively opposing the bill; we have been working with the League of Municipalities during their negotiations, briefly. We haven't signed off on that amendment. She will be speaking with the City lobbyist today to see what this City is going to be doing.

She stated that at this point, it's as Dana said, it's kind of greased. We just need to figure out how much time we have available to oppose something that is probably going to go through anyway, when we need to utilize our resources to get MIRF and other types of things passed.

**JEFF FORTENBERRY** - Mr. Fortenberry inquired about who was in charge of the Keno grant process, stating that he was referring to the specific evaluation that they will be submitting. Ms. Seng stated that she serves on the Keno Prevention Task Force. She explained that it goes through JBC first; once it is approved by JBC, then it goes to the County Board and then to the Council. Mr. Fortenberry asked if it is all through JBC, what is the function of the Task Force. Ms. Seng explained that the Task Force is a sub-group of JBC.

Ms. Johnson explained that what JBC does is vote to move recommendations to the two governing bodies [City Council and County Board]. JBC doesn't say aye or nay, they just say "let's move it forward".

Ms. Seng explained that of the many request received by JBC, they try to honor as many as they can, usually at a lesser sum than requested, in order to accommodate more requests.

**CINDY JOHNSON** - No Further Comments

**ANNETTE McROY** - No Further Comments

**COLEEN SENG** - Ms. Seng had two issues to discuss. The first was regarding the March Common Meeting. She stated that if there are no agenda items, Common Chair Bob Workman is suggesting that the March Common Meeting be cancelled. Let Cori know if you have any items for the meeting. *[The March Common Meeting has been cancelled].*

The other item Ms. Seng wanted to discuss was that there was some concern regarding the innocuous item about the Park Department 'cleaning up' a little of the legislation. Some people thought we were slipping a booze question through and letting Jim Morgan decide whether we were going to have booze or not through the "concession stand" wording. Ms. Seng stated that she had a couple of calls on that. She informed Council that Lynn Darling will probably be calling individual members to find out the results. Ms. Seng said that she explained to Ms. Darling that there was nothing controversial about it. Mr. Cook stated that this was just a "housekeeping" issue. Ms. Seng stated that cars couldn't drive through Pioneers Park if there was anything going on at Pinewood Bowl under this old, old-time legislation which is still on the books and needs to be taken care of. Ms. Seng wanted to just give Council members a heads up in case Ms. Darling called.

**JERRY SHOECRAFT** - No Further Comments

ANN HARRELL - Ms. Harrell distributed to Council a letter from the Mayor which expressed his concern about the HiMark Estates Community Unit Plan which is on Council's Agenda for March 13<sup>th</sup>. She noted that it is on the agenda because the applicant is appealing *all* of the conditions that the Planning Commission imposed....seventeen or eighteen of them.

The concerns that the Planning Staff have and the concerns that the Mayor has go beyond just those conditions and gets to what it is that the developer is proposing for this area. You should have received a memo a couple of weeks ago from Ray Hill in the Planning Department which explained the Departments concern about the project. This letter is just following up on that to stress the Mayor's concerns as well. [Letter attached].

Ms. Harrell commented that the developer is coming in this week to meet with Ms. Sellman, Planning Director, and with Ms. Harrell to discuss these things.

DANA ROPER - Mr. Roper announced that the Law Department was expecting "Babydolls" to file a federal lawsuit against the City regarding the touching ordinance.

**VI. REQUESTS OF COUNCIL FROM MAYOR - *None*.**

**VII. MISCELLANEOUS - *None***

**VIII. MEETING ADJOURNED** Approximately 12:43 p.m.